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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/643,276	08/22/2000	Kiyonobu Kojima	SONY-U0059	8667

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

DUONG, OANH L

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/643,276

Applicant(s)

KOJIMA ET AL.

Examiner

Oanh L. Duong

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-9 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al (Watanabe) (US 2003/0115277 A1) in view of Shirai et al (Shirai) (US 2001/0042093 A1).

Regarding claim 1, Watanabe teaches a picture transmission apparatus (e.g., see fig. 4) comprising a file select means for selecting a file (e.g., see page 1 paragraph 12-18). Watanabe does not teach transmission information creation means as claimed. However, Shirai teaches transmission information creation means for creating transmission information for transmitting information of a file selected by said file select means, wherein said transmission information is created at the same time as the file is selected in a batch operation (e.g., see page 6 paragraph 116). Therefore, it would have been obvious to combine the information creation means in Watanabe as taught by Shirai because such means would enable the mail tool to extract the information corresponding to a predetermined file and automatically generates an email with an extracted information without any user interaction.

Regarding claim 2, Watanabe teaches transmission information is an electronic mail (e.g., see abstract).

Regarding claim 3, Watanabe teaches transmission information is created so that word information constitutes a text and picture information constitutes an attached file (e.g., see page 4 paragraph 70).

Regarding claim 4, Watanabe teaches a picture transmission method (e.g., see fig. 4) comprising a file select step of selecting a file (e.g., see page 1 paragraph 12-18). Watanabe does not teach transmission information creation means as claimed. However, Shirai teaches transmission information creating step of creating transmission information for transmitting information of a file selected at said file select step, whereby said transmission information is created at the same time as the file is selected in a batch operation (e.g., see page 6 paragraph 116). Therefore, it would have been obvious to combine the information creating step in Watanabe as taught by Shirai because such step would enable the mail tool to extract the information corresponding to a predetermined file and automatically generates an email with an extracted information without any user interaction.

Regarding claim 5, Watanabe teaches transmission information is an electronic mail (e.g., see abstract).

Regarding claim 6, Watanabe teaches word information constitutes a text and picture information constitutes an attached file (e.g., see page 4 paragraph 70).

Regarding claim 7, Watanabe teaches program storage medium for storing a program to be executed by an information transmission apparatus (e.g., see fig. 4)

wherein said program comprises code for selecting a file (e.g., see page 1 paragraph 12-18). Watanabe does not teach code for transmission information creating claimed. However, Shirai teaches code for creating transmission information for transmitting information of a file selected at said file select step, whereby said transmission information is created at the same time as the file is selected in a batch operation (e.g., see page 6 paragraph 116). Therefore, it would have been obvious to combine code for information creating in Watanabe as taught by Shirai because such code would enable the mail tool to extract the information corresponding to a predetermined file and automatically generates an email with an extracted information without any user interaction.

Regarding claim 8, Watanabe teaches transmission information is an electronic mail (e.g., see abstract).

Regarding claim 9, Watanabe teaches word information constitutes a text and picture information constitutes an attached file of the email (e.g., see page 4 paragraph 70).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

cel

O.D
August 1, 2003

Hosain T. Alam
HOSAIN T. ALAM
PRIMARY EXAMINER